

DOCKET NO.: NIHB-2428
Application No.: 10/789,400
Office Action Dated: March 9, 2009

PATENT

REMARKS

This response is filed together with a Request for Continued Examination. Upon entry of this response, claims 1, 3-6, 15, 16, 58, and 59 will be pending in this application. Claims 2, 7-14, 17-57, 60, and 61 are cancelled. Claim 1 is amended. No new matter is added.

In view of the objections presented in the final rejection of March 9, 2009 and the advisory action of September 23, 2009, Applicants have amended claim 1 and canceled claims 17-19, 25, and 26.

Applicants do not agree with the Office's rejection under 35 U.S.C. § 112, first paragraph, regarding the variability of M2-2 among HMPV strains. Nonetheless, the pending claims are amended herein solely to advance prosecution. Accordingly, Applicants reserve the right to pursue the canceled subject matter in one or more continuing patent applications.

CONCLUSION

Claims 1, 3-6, 15, 16, 58, and 59 are believed to be in condition for allowance. Accordingly, a Notice of Allowance is requested.

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